

VOLUNTARY AMENDMENT
Serial No. 09/648,610

REMARKS

A total of 50 claims remain in the present application. The foregoing amendments are presented in order to define subject matter which is believed to be patentable, and which was not defined in the original claims 1-32. By way of the above-noted amendments, new claims 33-51 have been introduced. Previously presented and allowed claims 1-21 and 23-32 have not been changed.

New claims 33-51 are closely similar to previously allowed claims 1, 3, 5, 9, 11-14, 16-19, 23-24 and 28-32, except that the limitation to an "ATM switching network" has been broadened to define a "connection oriented network". It is believed that new claims 33-51 should properly be entered and examined on the merits in the present application, for at least the following reasons:

The originally filed application teaches methods and systems for grafting connections to an IP multicast tree set up through an Asynchronous Transfer Mode (ATM) switching network. The person of ordinary skill in the art will immediately recognise that an ATM switching network is a representative member of a generic class of networks, known as connection oriented networks. As is well known in the art, connection oriented networks operate by setting up connections or channels for each traffic flow, and as such, would ordinarily be expected to display the same limitations described in the background of the present invention with reference to ATM networks. Furthermore, the person of ordinary skill in the art would appreciate that the solution provided by the present invention (that is, cause the access node hosting two or more CPEs participating in the same IP multicast session to perform a VC-merge operation and graft a leaf onto the multicast tree at the access node) would also work with other connection oriented networks. Thus it is believed that the subject matter of new claims 33-51 is readily inferable from the originally filed specification and claims.

As mentioned above, it is well known that an ATM switching network is a member of the generic class of networks known as connection oriented networks. As such, the method steps, and system elements required by previously allowed claims 1, 3, 5, 9, 11-14, 16-19, 23-

VOLUNTARY AMENDMENT
Serial No. 09/648,610

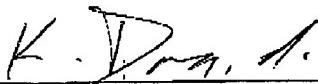
24 and 28-32 are not limited to ATM networks per se, but rather are equally applicable to other connection oriented networks. Accordingly, new claims 33-51 define subject matter which can properly be examined on the merits without requiring additional searches by the Examiner. As such, entry and examination of new claims 33-51 in the present application is believed to be proper.

Finally, it is believed that new claims 33-51 are allowable, for at least the same reasons that previously allowed claims 1, 3, 5, 9, 11-14, 16-19, 23-24 and 28-32 are allowable.

In light of the foregoing, entry and examination of new claims 33-51 is believed to be proper, and such action is courteously solicited.

If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 19-5113.

Respectfully submitted,


By: Kent Daniels, P.Eng.
Reg. No. 44206
Attorney for the Applicants

Date: February 1, 2005

Ogilvy Renault
Suite 1600
1981 McGill College Avenue
Montreal, Quebec
Canada, H3A 2Y3
(613) 780-8673